

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission

Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Room 17

February 7, 2012

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:02 a.m. on February 7, 2012
 - (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Tom Cloud
Michael Corey
Kevin Goeden, representing the Commissioner, Department of Labor
David Hannum, Chairman
John Hawkins
Todd Hite, representing the Commissioner, Department of Health
Matt Mitchell
Ted Ogle, Vice-Chairman

Commissioners not present at the Commission meeting:

Ron Brown
Michael Christoffersen
 - (b) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services
Shelly Wakefield, Manager, Code Technical Development
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
John Haines, Code Specialist
John Hibner, Code Specialist
Beth Sutor, Secretary
 - (c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

Chairman Hannum relayed a message from State Fire Marshal James Greeson to the members of the Fire Prevention and Building Safety Commission. He had asked that the Chairman express his thanks to the members of the Commission for all their work on Super Bowl variances, and for all their efforts to make it a safe event.

2. Old Business.

Chairman Hannum called for any corrections or a motion to approve the minutes of the January 4, 2012 meeting as distributed. A motion to approve the minutes was made by Commissioner Brenner, and seconded by Commissioner Ogle. It was voted upon and carried. Chairman Hannum called for any corrections or a motion to approve the minutes of the special meeting held January 18, 2012. Commissioner Corey moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Chairman Hannum called for any corrections or a motion to approve the minutes of the special meeting held January 27, 2012. Commissioner Corey moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

3. Ordinances.

Building Ordinance No. 2012-011712
Posey County, Indiana

Shelly Wakefield, Manager, Code Technical Development, noted that the ordinance had been reviewed and recommended approval. Commissioner Corey moved to approve. Commissioner Mitchell made the second. It was voted upon and carried.

4. Variances.

Tabled Variances.

Variance 11-11-33 New Eden Care Center, Topeka, and variance 11-12-4 3101S. Piccadilly Street Windows, Bloomington had been withdrawn by their proponents. The proponent for variance 11-09-10 Bonn Building, Fishers, had settled their issues, so no variance was required. Mara Snyder, Director, Legal and Code Services, had requested a No Variance Required ruling so that the proponent could receive a refund of fees because they had filed the application based on incorrect information provided to them. Commissioner Ogle moved no variance required, with the second by Commissioner Cloud. It was voted upon and carried. The proponent for variance 11-10-10(a)(b) INDOT Propane Fueling Station, Albany, had requested they be tabled until April, 2012. Variance 11-11-29 22 Dorman Avenue Improvements, Greendale, had been withdrawn by the proponent. Ed Rensink, RTM Consultants, spoke as the proponent for variance 11-10-29 Lilly K362 Development Lab Building, Indianapolis. The fifth floor mechanical level did not meet the one third rule to be classified as a mezzanine. It was to be occupied infrequently by maintenance techs, was fully sprinklered, and fire rated with Type I-B construction. It did not meet the 250 foot travel distance. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Variance 11-12-8 Family Praise Center, Noblesville, had requested to be tabled. Commissioner Corey moved to table, with the second by Commissioner Hite. It was voted upon and carried. Christina Collester, RTM Consultants, spoke as proponent for variances 11-12-45(a)(b)(c)(d)(e)(f)(g) Comlux Completion USA Hanger 5, Indianapolis. After a fire in the hanger, the intent was to rebuild it better than it had been when built in 1960 and after additions through the years. They will repair the damaged areas, and replace the mechanical and electric equipment, complying with current code where they are able, though documentation about compliance for some parts of the building was missing. Variance (a) was to allow the exterior stair from the mezzanine to remain, though it did not comply with current rise-and-run requirements. Two non-compliant egress stairs are being removed and replaced with compliant stairs. The main roof trusses and structures were intact. Variance (b) was to allow the non-compliant exterior wall adjacent to the property line to remain. Variance (c) was to allow the remaining portions of the building that were not being brought up to current code to remain non-compliant with Chap. 11 of the Building Code. Variance (d) was to allow the secondary members to be replaced. A structural engineer will certify and stamp the drawings. Variance (e) was to allow the existing building envelope that wasn't damaged by the fire to remain non-compliant with the 2010 Indiana Energy Conservation Code. Variance (f) was to allow the existing electrical system elements that weren't damaged by the fire to remain, without compliance with the 2009 Indiana Electrical Code. Variance (g) was to allow existing mechanical units that were not damaged by the fire to remain non-compliant with the 2008 Indiana Mechanical Code. The roof deck was to be totally replaced with a lighter system, while increasing

support in some sections in order to hang fire protection systems. The building would not meet seismic code requirements. An existing paint booth was to be removed, and was to be replaced with a storage area. The electrical systems were to be cleaned out and replaced in the damaged area, and left in undamaged areas which comprised approximately 10-15%. They explained the circuits would be checked by testing impedance and a thermal scope. The fire suppression system was designed for aircraft protection and was extra hazard. The rooftop mechanical units and ductwork were damaged by heat. They will do a Comcheck for new rooftop units but not for the repaired ones. It was their goal to comply with the Energy Code even though the building doesn't have to comply since it was built before the date which requires compliance. An accessible break room and restroom was to be installed on the first floor in the damaged area, and new construction will comply with Chapter 11. Following further discussion, Commissioner Brenner moved to approve (a), (b), (c), (d), (e), and (g). Commissioner Hawkins made the second. It was voted upon and carried with Commissioner Cloud abstaining. Commissioner Brenner then moved to deny (f) since the fire was of an electrical origin, and should all be replaced. Commissioner Ogle made the second. It was voted upon and carried. Variance 12-1-1 Indiana Bar Foundation-ICC Fire Hose Removal, Indianapolis was incomplete and ineligible to be heard. Commissioner Ogle moved to table, with the second by Commissioner Corey. It was voted upon and carried. Variance 12-1-2 Logansport Memorial Hospital, Logansport, was represented by Josh VanSickle of Kone Elevator. The request was to omit the hoistway access required by code. Horizontal steel was originally installed, and to replace it with vertical steel, which would catch on the divider beam, would put the elevators out of service for months. The elevators comply with the rest of the code. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance 12-1-6 3230 E. John Hinkle Place Unit K Windows, Bloomington, previously incomplete, was now eligible to be heard. It had previously been given an A rating by staff. Commissioner Ogle moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance 12-1-14 Alro Steel, Beech Grove, was represented by Phil Sabon, Alro Steel, and Travis Cortright, O'Harrow Construction. They were meeting code and withdrawing their application. Brad Rodgers, Illinois Oil Marketing, spoke as proponent for variance 12-1-15 DOT Foods Inc, Cambridge City. DOT Foods had requested their stations to store a week's worth of fuel as a precaution against fuel shortages disrupting operations. The request was to allow a 20,000 gallon tank for fuel storage. The tank, twice the size allowed by the Fire Code, would be located too close to the property line. The double-walled tank, with overfill protection and leak monitoring, would be built in Illinois by a certified builder. The local fire department had no issues with the variance. Following discussion, Commissioner Hawkins moved to approve with the condition that the diesel fuel is Class IIIB. Commissioner Ogle made the second. It was voted upon and carried with two nay votes. John Reynolds, architect, spoke as proponent for variance 12-1-16 Rupert Ridge School, Woodburn. Due to their religious beliefs, the Amish schoolhouse would not comply with all codes. Variance (a) was to omit emergency lighting. Variance (b) was to allow all lighting to be provided by gas. Variance (c) was to allow reflective signs to be installed instead of electrically lit exit signs. Variance (d) was to omit the fire alarm system. The heating will be provided by a central wood stove, and restroom facilities, meeting accessibility requirements, will be outdoors. Younger children will be separated from older students by a single dividing wall, and there will be a compliant foyer. Following discussion, Commissioner Hawkins moved to approve with the conditions that the building be used only during daylight hours, battery-operated smoke alarms be installed, and two exits out of each classroom must be provided. Commissioner Cloud made the second. It was voted upon and carried with three nay votes. Walter Scott, W. J. Scott Company, spoke as proponent for variance 12-1-34(a)(b) FedEx Freight East Inc, Terre Haute. Variance (a) was a request to install a guardrail around the tanks in lieu of the code compliant posts. Variance (b) was to allow a new tank to be installed by the existing tank. The proponent was unable to provide information requested by the Commissioners concerning separation of the tanks and dimensional information of the guardrails. Commissioner Hawkins moved to table, with the second by Commissioner Corey. It was voted upon and carried. Ed Rensink, RTM Consultants, spoke as proponent for variance 12-1-41 Lumen Christi Catholic School, Indianapolis. The existing administration building was being converted for use by high school students. The building was evaluated under Chapter 34 due to the change of occupancy, and it was determined that the two open existing stairs caused almost all the negative points of the evaluation. The request was to allow an additional 30.7 points for Fire Safety, 19.7 points for Means of Egress, and 19.7 points for General Safety with the addition of two new exterior stairs to provide the required exits from the second floor. A fire alarm and smoke alarm system was to be provided throughout as well. Maximum egress travel distance was to be approximately 40 feet. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. The proponent for variance 12-1-44 St. Joseph's High School, South Bend, had requested the application be tabled. Commissioner Corey moved to table, with the second by Commissioner Mitchell. It was voted upon and carried.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:25 a.m. He then reconvened the meeting, calling it back to order at 10:42 a.m.

Regular Variances.

Chairman Hannum asked for any abstentions or variances to be called out of the block vote. Commissioner Hawkins advised that he would be abstaining from voting on variance 12-2-9 Southern Hills Church, Salem. Commissioner Cloud advised that he would be abstaining from voting on variance 12-2-1 Rose-Hulman Student Housing, Terre Haute. Commissioner Mitchell advised that he would be abstaining from voting on variance 12-2-4 Industrial Dielectrics Inc, Noblesville. Variance 12-02-18 Chauncey Square Elevators, West Lafayette was called out to be pulled from the block vote for individual consideration. Commissioner Corey moved to approve all other variances with an "A" or "B" recommendation by staff, with the second by Commissioner Brenner. It was voted upon and carried.

The following variances were approved as submitted:

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|------|---------|--|
| (1) | 12-2-1 | Rose-Hulman Student Housing, Terre Haute |
| (2) | 12-2-2 | UAP Clinic, Terre Haute |
| (3) | 12-2-7 | 343-349 S. Grant Street Windows, Bloomington |
| (4) | 12-2-8 | 109 S. Parkridge Windows, Bloomington |
| (5) | 12-2-9 | Southern Hills Church 2011 Addition, Salem |
| (6) | 12-2-10 | Towne Place Suites by Marriott, Indianapolis |
| (7) | 12-2-11 | Macedonian Tribune Building Hose Stations, Ft. Wayne |
| (8) | 12-2-14 | Andy Mohr Chevrolet Addition/Remodel, Indianapolis |
| (9) | 12-2-17 | 307 E. 19 th Street Apt. 9 Windows, Bloomington |
| (10) | 12-2-22 | The Point on Fall Creek, Indianapolis |
| (11) | 12-2-25 | Gallahue Hall Soft Space Renovations, Indianapolis |
| (12) | 12-2-26 | Jordan Hall Soft Space Renovations, Indianapolis |
| (13) | 12-2-29 | Riley Hospital Phase V Addition, Indianapolis |
| (14) | 12-2-31 | Lilly M49 Life Center, Indianapolis |
| (15) | 12-2-37 | 528 E. Graham Place Windows, Bloomington |
| (16) | 12-2-39 | Pool Corp, Ft. Wayne |
| (17) | 12-2-41 | 575 E. Graham Place Windows, Bloomington |

6. Variances

The following variances were heard separately:

- (18) 12-2-3 Olliver Condominium Windows, Bloomington

The application had been missed in the block vote. Commissioner Hawkins moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (19) 12-2-4 Industrial Dielectrics, Inc, Noblesville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Part of an existing wooden structure was being torn down and replaced with noncombustible construction. A new wall of steel studs and gypsum board is next to a masonry wall, achieving a 2-hour rating to the roof deck. The 2 walls had been designed to be structurally independent of each other, and the request was to treat it as a firewall. The building is sprinklered throughout, and complies with stepped building requirements. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (20) 12-2-6 Tradebe Treatment and Recycling Container Storage, East Chicago

Robert Vaughn, Tradebe Recycling, spoke as proponent. The facility was to upgrade machinery. To create a safe work zone, they would need to move their stored solids away from the flammable solids recovery area and place them onto a concrete pad in Area 8 with is less than 10' from the property line. This would be from the middle of February to the first of October. There is sufficient fire department access to both sites, and the area had been inspected by hazmat, without objections. A railroad spur line running into their building would be 18 feet from the storage site. Additional fire equipment would be maintained in the area. Following discussion, Commissioner Corey moved to approve with the condition that the variance was valid until October 1, 2012. Commissioner Brenner made the second. It was voted upon and carried.

(21) 12-2-12(a)(b) Boone County 4-H Horse Barns, Lebanon

Alan Schambach and Mike Scheinhoffer, FBI Buildings, spoke as proponents. A new horse barn was to be used to show horses two weeks per year during the 4-H Fair. The building, 30 feet from other buildings on the property, had sides which were 90% open, with a gravel floor, and some permanent stalls. It was to be used for storage of bleachers, poster racks and the like for the remainder of the year. Variance (a) was to allow the building to be over area for construction type. Variance (b) was to omit the sprinklers required by code for this building. Following discussion of the two variances, Commissioner Ogle moved to approve with the condition that no motor vehicles or flammables or combustibles were to be stored in the facility, and that it may be used only for the activities listed in the application. Commissioner Mitchell made the second. It was voted upon and carried with one nay vote.

(22) 12-02-13 Suncrest Christian Church, Hobart

David Hallman, DME Access, spoke as proponent. The church wanted to install an inclined lift in their existing building. When the ramp had weight loaded on to it, they were not able to achieve a compliant rise for the ramp. Neither the local fire official nor local code official had any issue with the variance. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

(23) 12-2-15(a)(b) Wawasee High School Renovations, Syracuse

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. In variance (a), a 600 square foot, sprinklered dish room was being added. The request was to omit the independent fire wall required by code. The remainder of the building was sprinklered or protected by fire walls. Variance (b) was a request to allow a temporary dead-end for approximately four weeks during the renovation. Signs were to be posted and fire drills were to be conducted. Following discussion, Commissioner Hawkins moved to approve both. Commissioner Mitchell made the second. It was voted upon and carried.

(24) 12-2-16(a)(b)(c) ALH Building Systems, Markle

Maurice Cossairt, ALH Building Systems, spoke as proponent. A letter from Shad Paul, the City of Huntington Building Commissioner, expressing his concerns about the variances was provided to the Commission members. The proponent stated there were two dust collection systems, and that one unit was high speed and designed to not need a dust collection system. Variance (a) was to allow breezeway #1 and #2 to exist without having been filed with, and released by, Plan Review. These had started as a covered walkway, with breezeway #2 serving as a second exit for building #3. Eventually they had become enclosed. He would remove them if the Commission requested it, though it would become a concern with employees dealing with a snow and ice problem. Following discussion, Commissioner Ogle moved to deny variance (a), with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was a request to eliminate a required sprinkler system which does not work. The

sprinkler heads were non-operational when the building had been occupied under a lease/purchase agreement, with no water supply hooked up to it. Per the proponent, the only water supply to the building is the sanitary system. The building is being used for warehousing, with a portion of it used for making roof trusses with 35 production employees regularly scheduled. Variance (c) was to allow some egress doors to open against the direction of travel. The hardship involved was the estimated \$10,000 cost to get it corrected. Following discussion, Commissioner Ogle moved to table both (b) and (c) to allow the proponent to provide further information concerning the sprinkler/water systems and cost for the doors. Commissioner Hawkins made the second. It was voted upon and carried.

(25) 12-2-18 Chauncey Square Elevators, West Lafayette

Jason Farkas, Schindler Elevator Corporation, spoke as proponent. Commissioner Corey had called out the application to verify that inspection tools and training were being provided for the inspectors. The application had not made that clear. When assured that trainings were being done and that the tools would be provided, Commissioner Corey moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

(26) 12-2-19 Troxel Equipment, Bluffton

Tim Callas, J & T Consulting, spoke as proponent. An existing building which houses large farm tractors was to be connected to another building housing farm implements by a connector, separated by an existing two-hour fire wall. The request was to omit the required sprinkler system in the S-1 building that exceeds 12,00 square feet. The connector was designed for forklift use, but will also accommodate pedestrian traffic. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(27) 12-2-20 Bristol-Myers Squibb Cage/Rack Washer Addition, Mt. Vernon

Doug Trent, RTM Consultants, spoke as proponent. The request was to omit sprinklers in the animal study rooms, fearing a sprinkler discharge would invalidate the research data. This represents approximately 17% of the total area of the building, the balance having been sprinklered. Each animal study room has been fitted with heat detectors and smoke detectors in the duct work which serves the room. Following discussion, Commissioner Hawkins moved to approve with the condition that the addition be separated with a two-hour fire barrier. Commissioner Cloud made the second. It was voted upon and carried.

(28) 12-2-21 11 Fortune Park Existing Fireproofing Repair, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. He was assisted by Alton Sanderson, Eleven Fortune Park LP. During renovation of a 1980's building, the columns were found to lack fireproofing above the acoustic ceilings. As tenants changed, the fireproofing in their space was corrected. The leases of the two remaining tenants who have yet to be corrected contain a quiet enjoyment clause and a clause which gives the tenant lease priority over the building mortgage. Their rent comes to three-quarters of a million dollars towards the value of the building. The request of the proponent is to allow the owner to delay repairs in these two spaces until the leases are up; the first in 2016, and the second in 2018. Sam Bruner, Pike Township Fire Marshal, addressed the Commission. He felt they should be able to complete repairs in six to nine months. Following discussion, Commissioner Brenner moved to approve with the condition that the variance was to be valid for a nine-month period. Commissioner Ogle made the second. It was voted upon and carried.

(29) 12-2-23 The Hope Source, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. An existing autism therapy center was to install two delayed egress locks without providing sprinklers. The building has an interconnected smoke detection system which would release the delayed egress locks upon activation. They would also release upon loss of power, or by remote control from the manager's office. It was determined that the interconnected system complied with NFPA 72, thereby making the variance unnecessary. Commissioner Mitchell moved that no variance was required, with the second by Commissioner Brenner. It was voted upon and carried.

7. **Breaking and reconvening.** Chairman Hannum recessed the Commission for lunch at 12:10 p.m. He then reconvened the meeting, calling it back to order at 1:03 p.m.

- (30) 12-2-24(a)(b)(c) Punch Burger, Indianapolis

The proponent had not yet returned. This was moved to a later spot on the agenda.

- (31) 12-2-27(a)(b)(c)(d)(e)(f)(g)(h)(i) Selah House Adolescent Treatment Center, Anderson

The proponent had not yet returned. This was moved to a later spot on the agenda.

- (32) 12-2-28(a)(b) Sensient Flavors Process Room Conversion, Indianapolis

The proponent had not yet returned. This was moved to a later spot on the agenda.

- (33) 12-2-30 Axis Architecture + Interiors Office Renovation, Indianapolis

The proponent had not yet returned. This was moved to a later spot on the agenda.

- (34) 12-2-32 Indiana University Franklin Hall Reading Room Renovation, Bloomington

The proponent had not yet returned. This was moved to a later spot on the agenda.

- (35) 12-2-38(a)(b) Crosslane Community Church Addition, Terre Haute

Dennis Bradshaw, FP&C Consultants, spoke as proponent. An existing, non-sprinklered church was adding a new vestibule and corridor/classroom addition. Variance (a) was a request to omit sprinklers in the existing building that would not have the code required separation from the addition. Variance (b) was a request to not sprinkle the addition. The new construction was to be of concrete block with a two-hour fire rating. A 90-minute rated door would be provided where the classroom opens into the connector, and no classroom windows were to face the existing building. Following discussion, Commissioner Hawkins moved to approve both (a) and (b), with the second by Commissioner Ogle. It was voted upon and carried.

- (36) 12-2-34(a)(b) Indiana University Bloomington South Eastside Residence Hall, Bloomington

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) was to omit the corridor smoke dampers. Following discussion, Commissioner Haskins moved to approve (a) with the condition that the variance only applies to dampers smaller than 120 square inches. Commissioner

Brenner made the second. It was voted upon and carried. Variance (b) was a request to omit the required gaskets for the rated doors. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(37) 12-2-28(a)(b) Sensient Flavors Process Room Conversion, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Chris Hallman, Senior Project Engineer, also addressed the Commission. The company was converting an existing process area into an area in which some flammable liquids would be used. Variance (a) was to allow an additional H3 occupancy area which would exceed the permitted amount of area allowed. The area was to be separated by a 2-hour separation, exceeding the code-required 1-hour. The sprinkler system was to be modified in the area as well. Randy Gulley, Wayne Twp. Fire Department, had no problem with the variance. Commissioner Mitchell moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance (b) was to allow the room to not meet the outside wall perimeter requirements. Existing utilities made this difficult. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

(38) 12-2-30 Axis Architecture + Interiors Office Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The renovation project included renovating existing office space, and an expansion of the existing storage mezzanine space. A portion of the storage mezzanine would not comply with the 7 foot height requirement due to the barrel vault of the roof. The pedestrian access will meet the required headroom, however. The non-sprinklered building has steel bowstring trusses. Following discussion, Commissioner Ogle moved to approve with the condition that no flammable materials were to be stored. Commissioner Brenner made the second. It was voted upon and carried.

(39) 12-2-32(a)(b) Indiana University Franklin Hall Reading Room Renovation, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. This building had been the original library for the university, and been converted to office use when the new library was built. They would like to restore this room to a reading room, and have a formal lecture and banquet use in the building without fully complying with code triggered by the occasional change of use for lecture and banquet use. Accessibility was to be upgraded, fire alarms would be installed in the area, and they meet common path of travel requirements. The kitchen was a warming kitchen for use by caterers. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Variance (b) was to request an occupant load limitation of 380 persons because the calculated occupant load required additional exiting. This was calculated using the most common set-up to be used. The required exit width was based on a non-sprinklered building since the project would be the only area to be sprinklered. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

(40) 12-2-33(a)(b)(c)(d) Fair Oaks Pig Adventure, Fair Oaks

Ed Rensink, RTM Consultants, spoke as proponent, assisted by Mike VanHuesen, livestock engineer, Joe Fitzgerald, architect, and Malcolm DeKryger, Belstra Milling Company. Variance (a) was a request to allow the buildings to exceed the allowable area for Type VB construction. The lower level of each building is an agricultural pig production facility, while the upper level is an A-3 occupancy used by the public for viewing production activities. Interior stairs will be enclosed with 1-hour fire barriers and each building was to have a fire alarm system and a smoke detection system. Variance (b) was to omit sprinklers. There was not a public water supply available, and the cost of providing alternative sprinkler protection was cost prohibitive. Variance (c) was to allow an occupant load limitation of 500 because the exiting would not comply with the calculated occupant load. The old UBC would allow 30 square feet

per person for exhibition areas. The occupant load would be controlled by ticket sales and bus transportation from the Visitor Center. Variance (d) was to allow the buildings to exceed allowable height for Type VB construction so that the observation area could be provided. The roof structure had been designed to comply with A occupancy snow load requirements. Following discussion, Commissioner Hawkins moved to approve (a), (b), (c), and (d), with the condition that the roofs over the A occupancy be designed to comply with the requirements of the 2008 Indiana Building Code. Commissioner Ogle made the second. It was voted upon and carried.

(41) 12-2-24(a)(b)(c) Punch Burger, Indianapolis

Doug Trent, RTM Consultants, spoke as proponent. A tenant space had previously been two spaces, and was now changing occupancy to an A-2 for use as a restaurant. The request in (a) was to not fully comply with code requirements. The building was fully sprinklered, seated 70, and the space for the restaurant was separated from the remainder of the first floor with existing brick walls. Variance (b) was to allow the two exits to not comply with the 1/3 of the overall diagonal distance requirement. Double doors opening onto the street served as the two exits for the space. Variance (c) was to allow the existing spiral stairs to remain functional, though they are not allowed by code for this group. They are not to be used by the public, but the rear stairs were to be used by staff to access storage in the sprinklered basement, and for maintenance of equipment. Following discussion, Commissioner Hawkins moved to approve (a) and (c) with no variance required for (b). Commissioner Brenner made the second. It was voted upon and carried.

(42) 12-2-27(a)(b)(c)(d)(e)(f)(g)(h)(i) Selah House Adolescent Treatment Center, Anderson

Doug Trent, RTM Consultants, spoke as proponent. Amos Taylor, CEO, also addressed the Commission. The building was to be a residential treatment facility for girls with eating disorders, and they are trying to keep the feeling “homey” in the 5,000 square foot home during the conversion. Variance (a) was a request to allow incomplete compliance with accessibility requirements. Variance (b) was a request to have an unenclosed stair from the basement to the 2nd floor. Variance (c) was a request to allow the stair serving the 2nd floor and the basement to discharge into the building instead of directly to the exterior. Variance (d) was a request to have an unenclosed opening between the 1st and 2nd floors. Variance (e) was a request to allow doors to one or more bedrooms to be less than the required width. Variance (f) was a request to allow a single handrail for each stair. Variance (g) was a request to allow a guardrail for the balcony to be 6¼” shorter than required. Variance (h) was to allow a single exit stair from the 2nd floor. Variance (i) was to allow a 13D sprinkler system in lieu of the required 13R system. One bedroom on the main floor would meet accessibility needs. Guardrails were at residential heights, with a low balcony railing on the second floor. Egress windows from the second story were to be provided. Following discussion, Commissioner Hawkins moved to approve all the applications with the condition that there be accessible toilet and bathing facilities on the first floor which meet the Indiana Accessibility code requirements. Commissioner Cloud made the second. It was voted upon and carried with two nay votes.

(43) 12-2-36 Classic Cleaners Machine Replacement, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An existing dry cleaners was to add two machines and modify an existing machine, due to recent EPA cleaning solvent changes. The request was to allow an amount of the Class IIA Combustible Liquid above the amount allowed by code for the three washers. The washers are a closed system process with a power phase disconnect and high-temperature shutoff set to trigger at 100 degrees below the flash point of the solvent. A fail-safe monitored nitrogen blanketing system was also provided, and a limited area sprinkler system was to be placed over the machines. Four exterior exit doors were provided in the opposite direction of the washers. Following discussion, Commissioner Brenner moved to approve with the condition that no solvent storage was to be allowed on site. Commissioner Cloud made the second. It was voted upon and carried.

- (44) 12-2-35 Mucky Duck Pub, Indianapolis

The application was incomplete and ineligible to be heard. Commissioner Ogle moved to table, with the second by Commissioner Corey. It was voted upon and carried.

- (45) 12-2-40(a)(b) Hanna Haunted Acres, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. She was accompanied by Scott Waterman, owner. The request was to allow two agricultural buildings to be used for a haunted house for 45 days per year without meeting all the requirements of the 2008 Indiana Building Code for Class 1 structures. The buildings are type V-B construction, and meet 2008 IBC allowable area and structural design requirements. The door on the end was to be locked in the open position. Emergency lights were to be provided, and all exits clearly marked with a lighted exit sign. Hardwired, interconnected residential smoke detectors were to be used throughout the buildings, and would activate a local alarm near the ticket booth for employees to call in the fire department. All combustible items in the haunted house were to be treated with fire retardant, and no cooking or open flame was to be allowed in or near the buildings. At least one employee per building would have a walkie-talkie, and all employees carry flashlights. Following discussion, Commissioner Brenner moved to approve both (a) and (b) with the condition that staff was to be trained in evacuation procedures, and to allow forty-five consecutive days in one calendar year plus one additional day. Commissioner Corey made the second. It was voted upon and carried with two nay votes.

- (46) 12-2-42 Courtyard Marriott, Kokomo

The application was incomplete and ineligible to be heard. Commissioner Brenner moved to table, with the second by Commissioner Corey. It was voted upon and carried.

9. **New Business – General.**

Discussion and Possible Commission Action – Nonfinal Orders of Dismissal

ABA Programming
Administrative Cause No. 11-39
Order – White River Twp. Fire Department
Nonfinal Order of Dismissal

ABA Programming
Administrative Cause No. 11-45
Order – White River Twp. Fire Department
Nonfinal Order of Dismissal

AgVenture D&M
Administrative Cause No. 11-43
Condition of CDR #353162
Nonfinal Order of Dismissal

Glidden Furniture
Administrative Cause No. 11-38
Order – Elevator and Amusement Safety
Nonfinal Order of Dismissal

Aboite Elementary School
Administrative Cause No. 11-24
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

Commissioner Corey moved to affirm the Nonfinal Orders of Dismissal. Commissioner Mitchell made the second. It was voted upon and carried.

Cornerstone Building
Administrative Cause No. 11-28
Order – Elkhart Fire Department
Nonfinal Order Reversing order of Elkhart Fire Department

Cornerstone Building
Administrative Cause No. 11-28
Elkhart City Fire Department Objection to the
Nonfinal Order of Administrative Law Judge

Following a summary of possible actions led by Deputy Attorney General James Schmidt, Commissioner Ogle moved that briefs by the parties were to be filed by March 15, 2012 for the April 3, 2012 meeting. Commissioner Corey made the second. It was voted upon and carried.

Discussion and Possible Commission Action – Appeals

Gateway Association, Inc.
Order – Fire and Building Code Enforcement

6479 E. State Road 60, Pekin
Order – Fire and Building Code Enforcement

Commissioner Ogle moved to grant both of the appeals, with the second by Commissioner Cloud. It was voted upon and carried.

10. Comments

Mara Snyder, Director, Legal and Code Services, noted that there had been a national earthquake preparedness exercise held at the same time as the Commission was meeting, and that information on the event had been provided to the Chairman if anyone was interested in a copy. She thanked the members of the Commission for their flexibility with meetings for the Super Bowl variances. She also noted that SB 273 would require the Commission to adopt rules

concerning “outdoor stage equipment rigging”. The bill had passed the Senate, but had not yet been assigned to a House committee.

11. **Adjournment.**

Chairman Hannum called for further business, and upon hearing none, adjourned the meeting at 3:05 p.m.

APPROVED _____
David Hannum, Chairman